

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” and Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

These amendments change the payment methodology for the following Medicaid home- and community-based services (HCBS) waivers to align with the payment methodology for durable medical equipment under the Medicaid state plan:

- Assistive devices under the elderly waiver.
- Environmental modifications and adaptive devices under the children’s mental health waiver.
- Home and vehicle modifications under the ill and handicapped, elderly, intellectual disability, brain injury and physical disability waivers.
- Specialized medical equipment under the brain injury and physical disability waivers.

Aligning the reimbursement for durable equipment is one of the Medicaid cost containment strategies recommended by Governor Branstad. 2011 Iowa Acts, House File 649, authorizes the Department to implement these recommendations.

These amendments were Adopted and Filed Emergency and were published in the Iowa Administrative Bulletin on September 7, 2011, as **ARC 9704B**. Notice of Intended Action to solicit comment on these amendments was published as **ARC 9705B** on the same date. The Department received no comments on the Notice of Intended Action. The items have been changed to rescind the amendments that were previously Adopted and Filed Emergency and to adopt new language in lieu thereof. However, the new language is identical to that Adopted and Filed Emergency.

The Council on Human Services adopted these amendments on November 9, 2011.

These amendments do not provide for waivers in specified situations because the savings assumed in the Department’s appropriations will not be achieved if waivers are provided. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249A.4 and 2011 Iowa Acts, House File 649, section 10, subsection 20(a).

These amendments will become effective January 4, 2012, at which time the Adopted and Filed Emergency amendments are hereby rescinded.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Chs 78, 79] is being omitted. These amendments are identical to those published under Notice as **ARC 9705B** and Adopted and Filed Emergency as **ARC 9704B**, IAB 9/7/11.

[Filed 11/9/11, effective 1/4/12]

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[For replacement pages for IAC, see IAC Supplement 11/30/11.]